

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
FEDERAL INSURANCE COMPANY, :  
:   
Plaintiff, : 06 Civ. 2455 (JSR)  
:  
-v- : ORDER  
:  
PGG REALTY, LLC, et al., :  
:   
Defendants. :  
----- x  
JED S. RAKOFF, U.S.D.J.

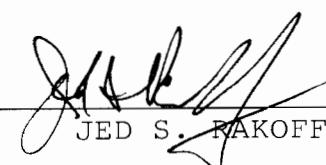
USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 2-20-07

In dueling motions dated October 20, 2006, plaintiff Federal Insurance Company and defendants PGG Realty, LLC, and Ben Ashkenazy each moved for summary judgment pursuant to Fed. R. Civ. P. 56(c). Plaintiff's motion for summary judgment is hereby denied in all respects. Defendants' motion is hereby granted to the extent it seeks dismissal of the salvage and wreck removal claim against defendant Ben Ashkenazy, but is otherwise denied.

Additionally, in two motions dated December 4, 2006, plaintiff moved to strike defendants' jury demand and to dismiss defendants' sixth counterclaim pursuant to Fed. R. Civ. P. 12(b) (6). Both of these motions are hereby granted.

An opinion explaining the reasons for all of these determinations will issue in due course.

SO ORDERED.

  
\_\_\_\_\_  
JED S. RAKOFF, U.S.D.J.

Dated: New York, New York  
February 16, 2007